

HONOURABLE SRI JUSTICE GOPALA KRISHNA TAMADA

CRIMINAL PETITION No:13077 OF 2010

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ORDER:

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The petitioner is the owner of lorry bearing Reg. No. AP 03U 0957. The vehicle in question is involved in Crime No.582 of 2010-2011 of Prohibition and Excise station, Yellandu, registered for the offence punishable under Section 34 (e) of the A.P. Excise Act.

In view of the said involvement, the lorry in question was seized and as such, the present petition is filed seeking for release of the same.

Heard the learned Counsel for the petitioner.

Having regard to the submissions made by the learned Counsel for the petitioner and in view of the fact that the petitioner is the owner and is eking out his livelihood from out of the income derived from the vehicle in question, this Court is of the view that the vehicle in question can be ordered to be released in favour of the petitioner by imposing certain conditions.

Accordingly, the vehicle in question is hereby ordered to be released in favour of the petitioner on the following conditions:

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1) The petitioner shall execute a bond for a sum of Rs.2,00,000/- (Rupees Two lakhs only) with two sureties for the like sum each to the satisfaction of the S.H.O., Prohibition & Excise Station, Yellandu.

2) He shall give an undertaking that he will produce the vehicle in question as and when required and he shall not alienate the same during the course of enquiry, investigation and trial.

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Subject to the above conditions, the Criminal Petition is allowed.

Justice Gopala Krishna Tamada

Dated: 31.12.2010

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